

TEXAS TRANSPORTATION COMMISSION

SMITH County

MINUTE ORDER

Page 1 of 1

TYLER District

In the City of Whitehouse, Smith County, on SH 110, the State of Texas acquired an easement interest in certain land by an instrument recorded in Volume 906, at Page 597, of the Deed Records of Smith County, Texas.

All of the easement, which easement encumbers the real property described in Exhibit A (tract), is no longer needed for a state highway purpose.

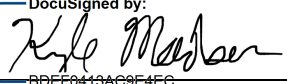
In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may release an easement interest no longer needed for a state highway purpose to the owner of the fee in the property.

Retail Partners - Hwy 110, LLC is the owner of the fee interest in the property and has requested to purchase the easement interest for \$13,721.

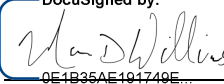
The commission finds \$13,721 to be a fair and reasonable value of the state's right, title, and interest in the easement interest.

IT IS THEREFORE ORDERED by the commission that the easement interest encumbering the tract, described in Exhibit A, is no longer needed for a state highway purpose. The commission recommends, subject to approval by the attorney general, that the governor of Texas execute a proper instrument conveying all of the state's right, title, and interest in the easement interest to Retail Partners - Hwy 110, LLC for \$13,721.

Submitted and reviewed by:

DocuSigned by:

BDEF0413AC9E4EC...
Director, Right of Way Division

Recommended by:

DocuSigned by:

0E4B35AE101740E...
Executive Director

116166 November 30, 2021

Minute Number	Date Passed
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EXHIBIT 'A'

County: Smith
Highway: State Highway 110

Page 1 of 3
August 22, 2020

All that certain tract or parcel of land situated in the M. Gutteriez Survey, Abstract 364, Smith County, Texas, being all of that certain called 0.03 acre channel easement, described in a Right-Of-Way Easement from Clarence A. Walker et ux Mildred Walker to the State of Texas, dated March 8, 1958, and recorded in Volume 906, Page 597 of the Deed Records of Smith County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at a 1/2" iron rod found (having coordinates of N: 6,783,843.74', E: 2,980,275.90') for the northwest corner of a called 0.754 acre tract described in a deed recorded in C.F.N. 202101008802 of the Official Public Records of Smith County, Texas, same being in the east right-of-way line of State Highway 110 (a variable width public right-of-way described in a Right-Of-Way Deed from Clarence A. Walker et ux, Mildred Walker to the State of Texas, dated March 8, 1958, recorded in Volume 906, Page 594 of the Deed Records of Smith County, Texas), same being in a curve having a radius of 5,800.00 feet;

THENCE, with the west line of said 0.754 acre tract and said east right-of-way line of State Highway 110, along a curve to the right having a radius of 5,800.00 feet, a central angle of 00°08'28", a chord bearing and distance of South 08°41'43" East, 14.27 feet, an arc length of 14.27 feet, to a 1/2" iron rod with a plastic cap marked BMS Surveyors set (having coordinates of N: 6,783,829.63', E: 2,980,278.05') for the POINT OF BEGINNING, same being the northwest corner of said 0.03 acre channel easement;

- 1) THENCE, North 41°17'42" East, a distance of 18.09 feet to a 1/2" iron rod with a plastic cap marked BMS Surveyors set for the northeast corner of said channel easement;
- 2) THENCE, South 48°42'18" East, a distance of 40.00 feet to a 1/2" iron rod with a plastic cap marked BMS Surveyors set for the southeast corner of said channel easement;
- 3) THENCE, South 41°17'42" West, a distance of 52.06 feet to a 1/2" iron rod with a plastic cap marked BMS Surveyors set for the southwest corner of said channel easement, same being in said west line of said 0.754 acre tract, same being said east right-of-way line of State Highway 110, same being in said curve to the left having a radius of 5,800.00 feet;
- 4) THENCE, with said west line of said 0.754 acre tract, same being said east right-of-way line of State Highway 110, and along said curve to the left having a radius of 5,800.00 feet, a central angle of 00°31'06", and a chord bearing and distance of North 08°21'56" West, 52.48 feet, an arc length of 52.48 feet to the POINT OF BEGINNING and containing 0.0322 grid acre of land (1,401 square feet).

I hereby certify that the above description was prepared from an actual survey made on the ground under my direction and supervision during the Months of August and September 2021. GIVEN UNDER MY HAND AND SEAL this date, 22 September 2021.

(Reference is hereby made to the plat of survey, Job No. 20-266. (Bearings are based on the Texas Coordinate System, North Central Zone, NAD83 Map Datum. Coordinates and distances are grid. Areas are surface values. The surface adjustment factor is 1.00012.)

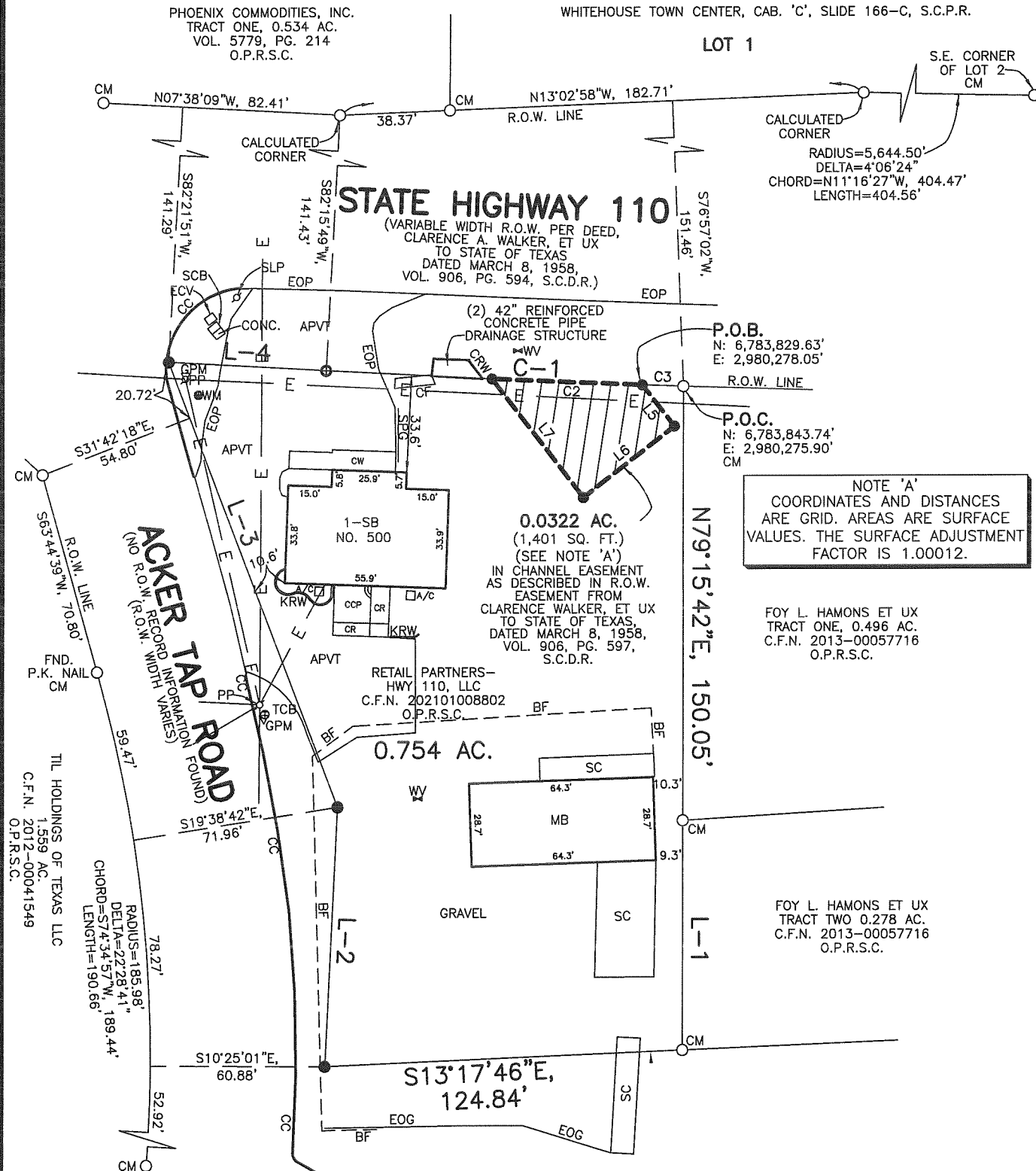
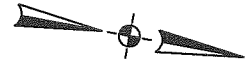
Joseph K. Pollard
Registered Professional Land Surveyor
Texas Registration No. 6499



EXHIBIT 'A'

PAGE 2 OF 3

0.0322 ACRE TRACT IN THE M. GUITTERIEZ SURVEY, 364,
CITY OF WHITEHOUSE, SMITH COUNTY, TEXAS
(BEARINGS ARE BASED ON THE TEXAS COORDINATE SYSTEM, NORTH
CENTRAL ZONE, NAD83 MAP DATUM. COORDINATES AND DISTANCES ARE GRID.
AREAS ARE SURFACE VALUES. THE SURFACE ADJUSTMENT FACTOR IS 1.00012.)



INDICATES FND. 1/2" I. ROD
UNLESS OTHERWISE NOTED.

INDICATES SET 1/2" I. ROD
MARKED WITH A PLASTIC CAP
STAMPED BMS SURVEYORS.

INDICATES SET STEEL SPINDLE
UNLESS OTHERWISE NOTED.

C-1
L-1 N79°15'48"E, 79.16'
L-2 S82°03'02"W, 89.56'
L-3 S58°17'42"W, 165.00'
L-4 N07°29'18"W, 55.00'
RADIUS=5,800.00'
DELTA=01°13'52"
CHORD=N08°09'01"W, 124.62'
LENGTH=124.62'

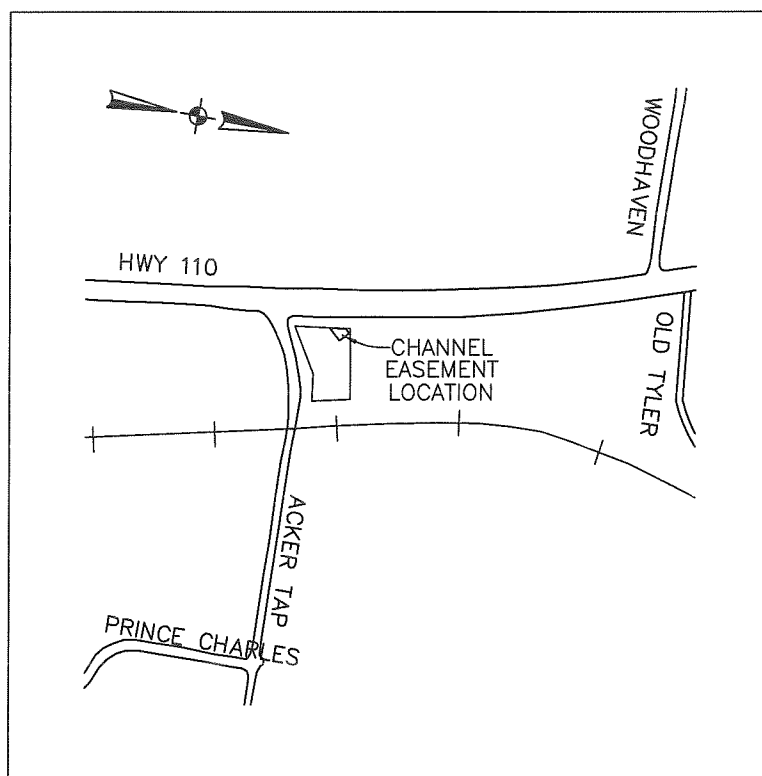
CHANNEL EASEMENT TABLES

LINE	BEARING	DISTANCE
L5	N41°17'42"E	18.09'
L6	S48°42'18"E	40.00'
L7	S41°17'42"W	52.06'

CURVE	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH	ARC LENGTH
C2	5,800.00'	0°31'06"	N08°21'56"W	52.48'	52.48'
C3	5,800.00'	0°08'28"	S08°41'43"E	14.27'	14.27'

LEGEND

APVT=ASPHALT PAVEMENT
CC=CONC. CURB
CF=CONC. FLUME
CM=CONTROLLING MONUMENT
CR=CONC. RAMP
CW=CONC. WALK
CCP=COVERED CONC. PORCH
CRW=CONC. RETAINING WALL
ECV=ELECTRIC CABLE VAULT
EOG=EDGE OF GRAVEL
EOP=EDGE OF PAVEMENT
GPM=GAS PIPELINE MARKER
KRW=KEystone RETAINING WALL
MB=METAL BLDG.
PP=POWER POLE
SC=STORAGE CONTAINER
SCB=SIGNAL CONTROL BOX
SLP=SIGNAL LIGHT POLE
SPG=STEEL PIPE GUARD
SSMH=SANITARY SEWER MANHOLE
TCB=TEL. CABLE BOX
WM=WATER METER
WV=WATER VALVE

VICINITY MAP
NOT TO SCALE**BMS TYLER SURVEYORS****BOB MATUSH SURVEYING, INC.**

REGISTERED PROFESSIONAL LAND SURVEYORS

2624 KENSINGTON DRIVE, SUITE 107, TYLER, TEXAS 75703 TEL. (903) 561-7287
T.B.P.L.S. FIRM NO. 10048200 www.bmstyler.com

JOB NO. 20-266

DATE: 22 SEPTEMBER 2021

SCALE: 1"=50'